



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

950088

October 16, 2019

Cathy Stepp, Regional Administrator  
USEPA, Region 5  
77 W. Jackson Blvd.  
Chicago, IL 60604

Refer to: 011030000 – Bureau County  
New Jersey Zinc/Mobil Chemical  
Superfund/Technical Reports

Dear Ms. Stepp:

The Illinois Environmental Protection Agency (Illinois EPA) and the Illinois Attorney General's Office (IAGO) have been working with the potentially responsible parties, ExxonMobil and CBS, collectively known as the DePue Group, to investigate and evaluate remedial alternatives for the New Jersey Zinc/Mobil Chemical National Priorities List Site in DePue, Illinois. The scope of these efforts also includes residential properties throughout the Village of DePue identified as Operable Unit 4 ("OU4").

Since 1995 these activities have been conducted under a State Interim Consent Order for a remedial investigation and feasibility study ("RI/FS") that also included several actions to address ongoing releases, such as construction and operation of the Interim Water Treatment Plant which collects and treats contaminated groundwater; redirecting surface water to avoid contact with waste; vegetating the facility to mitigate dust generation and migration; closure of the vanadium pentoxide area, and an interim removal action at the South Ditch. More recently, the phosphogypsum stack has undergone closure, and soil sampling in residential yards has been ongoing to support the forthcoming remedial action for OU4.

Negotiations regarding a consent decree to address remedial action at OU4 have been ongoing for approximately a year. However, it has become clear that these negotiations have reached an impasse due to the insistence of CBS on inclusion of several provisions which are not consistent with model RD/RA consent decree provisions. The Illinois EPA believes USEPA's enforcement authority can bring a resolution to this impasse. In keeping with our mutual desire to continue moving the site forward toward cleanup and the protection of human health and the environment, based on discussions between our agencies and USEPA policy the State of Illinois hereby requests USEPA to assume full lead of the New Jersey Zinc/Mobil Chemical NPL Site in DePue, Illinois.

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412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main St., Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph St., Suite 4-500, Chicago, IL 60601

As the support agency at the site, the Illinois EPA looks forward to full participation in all aspects of the remaining remedial investigation/feasibility study and remedial design/remedial action work for the site, as provided by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the National Contingency Plan. The State of Illinois also requests participation in any negotiations regarding the scope of response actions at the site and requests to be a party to any settlements for each of the operable units at the site, in accordance with Section 121(f) of CERCLA, 42 USC 9621(f).

As you are aware, soil sampling is ongoing to support the OU4 remedial design/remedial action and all parties desire to commence the remedial action set forth in the Record of Decision ("ROD") as soon as possible. The Illinois EPA is ready to assist in transition of the site to USEPA and provide any assistance needed regarding past, current, or future activities. We look forward to a resolution that will satisfactorily and efficiently implement the ROD to address the environmental risks from the Site.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John J. Kim', with a stylized, looping flourish at the end.

John J. Kim  
Director

cc: Elizabeth Wallace, Illinois Attorney General's Office  
Joseph Abel, ExxonMobil Environmental and Property Solutions Company  
Wilmer Reyes, CBS Operations  
Eric Bryant, Village of DePue